

REMARKS

Claims 1-28 are currently pending in the application.

Claims 22 and 28 stand objected to because of typographical errors which have been corrected by amendment herein.

Claims 1-4, 7, 10, 15, 18 and 21 stand rejected under 35 USC §102 as allegedly anticipated by U.S. Patent No. Des. 406,539 (O'Neil). Claims 5, 6, 8, 9, 11-14, 16, 17, 19, 20 and 22-28 stand rejected under 35 USC §103 as obvious over O'Neil in view of U.S. Patent No. 2,736,100 (Landau), 2,932,897 (Huber) and 2,369,988 (Steckler).

Reconsideration of the rejection of claims 1-28 is requested.

Applicant will initially address the claims alleged to be anticipated by O'Neil. For the anticipation rejection based upon O'Neil to be proper, O'Neil must disclose all of the elements in the claim.

Claim 1 recites a number of elements that are not shown in O'Neil. For example, claim 1 recites a surface on the wall which reflects an image of an object located in front of the wall. Claim 1 further recites at least one of i) a depiction of at least one of a) an animate object; b) an inanimate object; and c) a scene; ii) at least one word; iii) a design; and iv) a logo on the wall and viewable from in front of the wall in conjunction with the graduations and a reflective image from the surface on the wall. Claim 1 further characterizes the wall as formed so that the shape of at least a portion of a peripheral edge on the wall is at least nominally matched in shape to a shape of at least a portion of the at least one of i) a depiction of at least one of a) an animate object; b) an inanimate object; and c) a scene; ii) at least one word; iii) a design; and iv) a logo.

O'Neil, by reason of being a design patent, discloses only what can be readily discerned from the figures and any descriptive language therein. The figures are described to show a "transparent front panel" and a "back solid panel". O'Neil does not show or describe any corresponding surface which reflects an image.

Further, O'Neil does not disclose a viewable depiction, word, design, or logo, as claimed, or a wall formed so that a shape of at least a portion of the peripheral edge is at least nominally matched in shape to a shape of at least a portion of the at least one of the depiction, word, design, and logo. There is no depiction of any corresponding subject matter in O'Neil that is viewable from in front of the wall.

Instead, O'Neil discloses a plain, rectangular, peripheral edge and conforming front and back panels, which are respectively transparent and solid. The jagged shape shown, for example, in Fig. 7, for the front panel, is strictly a drawing expedient. That is, the front wall is shown with a "cutaway". A similar "cutaway" appears in Fig. 1 on the back wall.

O'Neil lacks the required depiction, word, design, or logo required in claim 1 and a peripheral edge that is nominally matched in shape to the shape of the depiction, word, design, or logo.

Since O'Neil's description is limited only to that relative to the figures, clearly there is no suggestion in O'Neil of making a modification to arrive at the structure recited in applicant's claim 1. Thus, the structure in applicant's claim 1 is not obvious from O'Neil.

Claims 2-4, 7, 10, 15 and 18 depend cognately from claim 1 and recite further significant structural detail to further distinguish over O'Neil.

As an example, claim 4 requires that the wall have a first layer with a front and rear and at least a portion of the at least one of the depiction, word, design, and logo be applied

to the rear of the first layer and viewable through the first layer at the front of the first layer. The depiction, word, design, and logo is altogether lacking from O'Neil. Thus, clearly there is no suggestion of providing the same on a corresponding rear portion of a first layer to be viewable through the first layer at the front of the first layer.

Claim 7 requires a material coating on the rear of the first layer for reflecting an image of an object located in front of the first layer. O'Neil does not show or describe any such reflective material coating.

Claim 10 recites two layers between which the depiction, word, design, and logo resides. Nothing whatsoever is disclosed between the front and back panels in O'Neil, let alone the specific structure set forth in claim 10.

Claim 18 characterizes the wall as having a nominally squared shape with four transverse edge portions, with one of the transverse edge portions having a first length and a running length that are different. In O'Neil, all of the edge portions have corresponding first and running lengths that are equal.

Claim 21 requires a reflective surface on the wall and first and second layers between which at least one of a depiction, word, design, and a logo are located so as to be viewable in front of the wall through the first layer.

O'Neil lacks any disclosure or suggestion of any such structure.

The remaining claims stand rejected based upon the combination of O'Neil, Landau, Huber and Steckler. Applicant will initially address the rejection as it applies to the sole independent claim in this group, method claim 23.

Claim 23 recites the step of forming at least one of a depiction, a word, a design, and a logo on a wall that is viewable through the first layer at the front thereof. Claim 23

further recites the step of coating the rear of the first layer with a first material that is viewable through the first layer and capable of reflecting an image of an object in front of the first layer.

O'Neil does not teach or suggest a structure having the features that will result from the performance of the recited steps.

The Examiner cites to Landau, in column 3, lines 29-32, for an alleged disclosure of a reflective coating. Lines 29-33 in column 3 of Landau describe only that the frame 10 may be "made of a fairly rigid material such as plastic or light metal". This disclosure does not describe a reflective coating on the rear of a layer that reflects an image of an object in front of the layer.

Huber is relied upon on page 9 of the Action for the disclosure of a pressure sensitive adhesive between two layers to effect joining thereof. It is not clear how this relates to the method steps of claim 23.

Steckler likewise is relied upon for features not apparently relevant to the limitations in claim 23.

The Examiner makes a blanket statement in the second full paragraph on page 9 of the Action that "[w]here a product by process claim is rejected over a prior art product that appears to be identical, although produced by a different process, the burden is upon the applicants to come forward with the evidence establishing an unobvious difference between the two".

It is noted that the prior art relied upon in rejecting claim 23 does not in any manner disclose a product that would result from the performance of the steps in claim 23. Thus,

the end product is not the same and it is respectfully submitted that the language cited by the Examiner is inapplicable.

Claims 24-28 depend cognately from claim 23 and recite further significant limitations to further distinguish over the prior art.

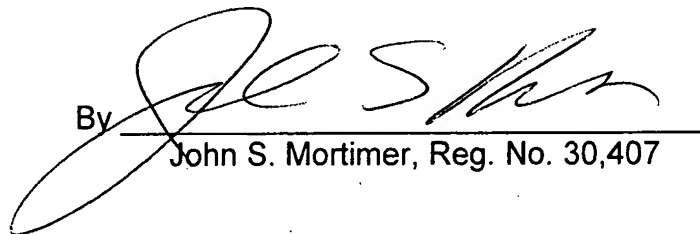
Similarly, claims 5, 6, 8, 9, 11, 14, 16, 17, 19, 20, 22 depend cognately from claim 1 and recite further significant structural detail to further distinguish over the cited art.

Reconsideration of the rejection of claims 1-28 and allowance of the case are requested.

Should additional fees be required in connection with this matter, please charge our deposit account No. 23-0785.

Respectfully submitted,

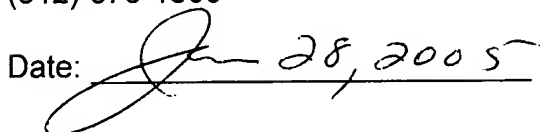
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